

REMARKS

Applicants thank the Examiner for the thorough examination of the application. No new matter is believed to be added to the application by this Reply.

Entry Of Reply

Entry of this Reply under 37 C.F.R. §1.116 is respectfully requested because it cancels claims and places to application in condition for allowance. Alternately, entry of this Reply is requested as reducing issues for appeal.

Status Of The Claims

Upon entry of this Reply, claims 1-10, 12, 13, and 16-18 are pending in the application. Claims 11 and 14 are cancelled by this amendment. Claims 3, 4 and 12 have been amended to stand as independent claims. Claim 16 has been amended to not depend upon a cancelled claim.

Support for the changes to claims 1, 2 and 4 is found at page 8, lines 26-29 and at page 9, line 10 to page 18, line 19 of the present specification. For example, it is noted that the reference to page 8 of the specification discloses various possible substituents for R¹ that can include methyl or ethyl selected within the disclosed range of 1-15 carbon atoms. Similarly, page 17, line 18 of the specification specifically recites "trimethylsilyl," which may be specifically excluded from the claims.

Support for the change to claim 2 is found at page 11, line 3 of the specification in which a tertiary-butyl group is specifically listed such that this group may be specifically excluded.

Support for the change to claim 4 is found at page 17, line 18 which specifically lists "trimethylsilyl" such that this substituent may be specifically excluded.

Claim 18 is encompassed by the scope of cancelled claim 14 and thus raises no new issues.

Objection To Claim 12

Claim 12 has been objected to as containing an informality. Claim 12 has been amended to be free from informalities.

Rejection Under 35 U.S.C. §102(b) Over Sakurai

Claims 1, 2 and 4, 11, 14, 16 and 19 are rejected under 35 U.S.C. §102(b) as being anticipated by Sakurai (Japanese Patent Publication No. 56-110693). Applicants traverse.

Sakurai discloses in Table 1 two silicon-containing ester derivatives which include tertiary butyl and trimethylsilyl groups in silicon-containing ester compounds. Also, in paragraph 5 of the Office Action, the Examiner states: "Sakuri discloses (2-triethylsiloxycarbonylallyl)trimethylsilane which structure is $(\text{CH}_3)_3\text{SiCH}_2\text{-C(=CH}_2\text{)-COOSi(CH}_2\text{CH}_3)_3$. . ." (Emphasis in original).

However, the claims have been amended so as not to cover *inter alia* trimethylsilyl group or triethylsilyl group. As a result, the present invention is clearly not anticipated by Sakurai.

Also, claim 11 is cancelled by this Amendment, and the basis for the rejection of this claim set forth in paragraph 5 of the Office Action is rendered moot.

This rejection is overcome and withdrawal thereof is respectfully requested.

Allowable Subject Matter

The Examiner acknowledges the allowability of claims 3, 12, 13 and 15. Claims 3 and 12 have been rewritten to stand as independent claims and thus these claims (and their dependent claims) are instantly allowable.

Information Disclosure Statement

The Examiner is thanked for considering the Information Disclosure Statement filed September 29, 2003 and for making the initialed PTO-1449 form of record in the application in the Office Action mailed January 5, 2005.

Prior Art

The prior art cited but not utilized by the Examiner indicates the status of the conventional art that the invention supercedes. Additional remarks are accordingly not necessary.

Foreign Priority

The Examiner has acknowledged foreign priority and indicated that a certified copy of the priority document has been received most recently in the Office Action mailed July 7, 2005.

Conclusion

The Examiners objection and rejection have been overcome, obviated or rendered moot. No issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

If any questions arise regarding the above matters, please contact Applicant's representative, Robert E. Goozner, Ph.D. (Reg. No. 42,593), in the Washington metropolitan area at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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